

CHRISTOPHER CHIOU
Acting United States Attorney
Nevada Bar Number 14853
JESSICA OLIVA
Assistant United States Attorney
501 Las Vegas Boulevard South, Suite 1100
Las Vegas, Nevada 89101
Tel: 702.388.6268
Fax: 702.388.6418
jessica.oliva@usdoj.gov
Attorneys for the United States

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHN DOUGLAS GIBSON,

Defendant.

Case No. 2:21-cr-00116-GMN-VCF

Stipulation for Protective Order

The parties, by and through the undersigned, respectfully request that the Court issue an order protecting from disclosure to the public, or any third party not directly related to this case, any documents, recordings, or other tangible things produced by the government during discovery that contain the confidential personal identifying information of individuals referenced in the discovery. The parties state as follows:

1. On April 21, 2021, a federal grand jury indicted defendant JOHN DOUGLAS GIBSON in a five-count indictment, alleging Possession of Stolen Mail in violation of 18 U.S.C. § 1708, Possession of 15 or More Counterfeit and Unauthorized Access Devices in violation of 18 U.S.C. § 1029(a)(3) and (c)(1)(A)(i), Aggravated Identity Theft in violation of 18 U.S.C. § 1028A(a)(1), and Illegal Possession of Device-Making

Equipment in violation of 18 U.S.C. § 1029(a)(4) and (c)(1)(A)(ii). ECF No. 7. On July 9, 2021, defendant Gibson made his initial appearance and plea and was arraigned in the District of Nevada. ECF No. 11.

2. Trial is currently scheduled for September 13, 2021. ECF No. 11. The Office of the Federal Public Defender was appointed to this case on July 9, 2021. ECF No. 14. Assistant Federal Public Defender Jawara Griffin filed his notice of appearance on July 16, 2021. ECF No. 17.

3. The discovery to be produced in connection with this case contains extensive amounts of personal identifying information, including names, addresses, and debit/credit card numbers of multiple individuals. The release of such information to the public or third parties not involved in the case could endanger the privacy of dozens of individuals and also subject them to potential misuse of their identities. This confidential, personal identifying information is referred to here as the "Protected Information."

4. In order to protect the privacy of the individuals referenced in the discovery, the parties intend to restrict access to the following individuals: attorneys for all parties, and any personnel that the attorneys for all parties consider necessary to assist in performing that attorney's duties in the prosecution or defense of this case, including investigators, paralegals, retained experts, support staff, interpreters, and any other individuals specifically authorized by the Court (collectively, the "Covered Individuals").

5. The Covered Individuals shall be advised of the Protective Order, and, without leave of Court, the Covered Individuals shall not:

- a. make copies for, or allow copies of any kind to be made by any other person of the Protected Information in this case;

- b. allow any other person to read, listen, or otherwise review the Protected Information in this case;
- c. use the Protected Information for any purpose other than preparing to defend against or prosecute the violations in the Petition, Addendum, and pre-indictment charges, or any further charges arising out of these cases; or
- d. attach any Protected Information to any of the pleadings, briefs, or other court filings except to the extent those pleadings, briefs, or filings are filed under seal or properly compliant with LR IC 6-1.

6. The Protected Information shall be segregated from discovery not containing personal identifying information, and Defendant shall only be permitted to review the Protected Information in the presence of defense counsel who shall retain exclusive possession of the Protected Information. Defense counsel will ensure that any discovery item left with Defendant is fully redacted of any Protected Information.

7. Nothing in this stipulation is intended to restrict the parties' use or introduction of the Protected Information as evidence at trial or support in motion practice.

8. The parties shall inform any person to whom disclosure may be made pursuant to this order of the existence and terms of this Court's order. The parties reserve the right to seek to modify the terms of this protective order at a later time pursuant to Federal Rule of Criminal Procedure 16(d)(1). Should a reasonable need for this protective order cease to exist, on grounds other than a Covered Individual or some other person violating or circumventing its terms, the Government will move expeditiously for its dissolution.

1 9. In the event of an inadvertent disclosure of the Protected Information, the
2 party making or learning of the inadvertent disclosure will immediately:

3 a. Notify the person to whom the disclosure was made that it contains
4 Protected Information subject to a Protective Order;

5 b. Make all reasonable efforts to preclude dissemination or use of the
6 Protected Information by the person to whom disclosure was
7 inadvertently made;

8 c. Notify the Government and other parties of the identity of the person
9 to whom the disclosure was made, the circumstances surrounding the
10 disclosure, and the steps taken to ensure against further
11 dissemination or use of the information; and

12 d. Notify the Court in writing under seal.

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10. The defense hereby stipulates to this protective order.

Respectfully submitted,

For the United States:

CHRISTOPHER CHIOU
Acting United States Attorney

s/ Jessica Oliva
JESSICA OLIVA
Assistant United States Attorney

For the Defense:

s/ Jawara Griffin
JAWARA GRIFFIN
Assistant Federal Public Defender
Attorney for DEFENDANT GIBSON

IT IS SO ORDERED:

7-28-2021



HON. CAM FERENBACH
UNITED STATES MAGISTRATE JUDGE

Date